

1 EILEEN M. DECKER

2 United States Attorney

JS-6

3 SANDRA R. BROWN

4 Assistant United States Attorney

5 Chief, Tax Division

6 ANDREW T. PRIBE (CA SBN 254904)

7 Assistant United States Attorney

8 Federal Building, Suite 7211

9 300 North Los Angeles Street

10 Los Angeles, California 90012

11 Telephone: (213) 894-6551

12 Facsimile: (213) 894-0115

13 E-mail: andrew.t.pribe@usdoj.gov

14 *Attorneys for the United States of America*

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA
17 WESTERN DIVISION

18 CALIFORNIA TD SPECIALISTS,
19 Petitioner

Case No.: 2:15-cv-8296 JFW(Ex)

20 v.

21 UNITED STATES,

Final judgment and order for
distribution

22 Based on the stipulation between California TD Specialists, Petitioner;
23 Ronald Lightbourne, Claimant; Lois Lightbourne, Claimant, Leonard
24 Lightbourne, Claimant; and the United States of America, Claimant; and for
good cause shown, the Court makes the following findings:

25 1. This is an interpleader action regarding surplus proceeds arising
26 from the non-judicial sale of 5 Richland Place, Pasadena, California 91103.

27 2. Petitioner began this action in the Superior Court of the State of
28 California for the County of Los Angeles on August 5, 2015.

1 3. The United States removed this action to this Court on October
2 23, 2015, under 28 U.S.C. § 1444.

3 4. The real property yielding the surplus proceeds was sold on
4 November 10, 2014.

5 5. Petitioner states that all appropriate notices were provided
6 regarding the sale of the property and the initiation of the current
7 proceeding.

8 6. The total sale price of the property was \$687,500.

9 7. After payment of the amounts specified in Cal. Civ. Code
10 § 2924k(a)(1)–(2), Petitioner states that there were surplus proceeds in the
11 amount of \$440,703.14.

12 8. Petitioner states that from the \$440,703.14, the following
13 amounts have been deducted:

14 a. Claim paid by trustee: \$18,259.98

15 b. Trustee fees and expenses: \$2,625

16 c. Filing fee: \$435

17 Total remaining balance: \$419,383.16

18 9. On October 21, 2015, Petitioner deposited the amount of
19 \$419,383.16 with the Clerk of the Superior Court of the State of California
20 for the County of Los Angeles.

21 10. Petitioner states that its attorney's fees have already been
22 deducted from the surplus funds.

23 11. Therefore, Petitioner does not claim an interest in the
24 interpleaded funds.

25 12. Petitioner states that it received only three claims to the proceeds
26 which were filed on behalf of Ronald Lightbourne, Lois Lightbourne, Leonard
27 Lightbourne, and the United States.
28

1 13. Ronald Lightbourne and Lois Lightbourne claim an interest in
2 the surplus proceeds as the record owners of the property prior to the
3 foreclosure.

4 14. Leonard Lightbourne claimed an interest in the surplus proceeds
5 through an unrecorded deed from Ronald Lightbourne and Lois Lightbourne
6 to Ronald Lightbourne, Lois Lightbourne, and Leonard Lightbourne.

7 15. In the stipulation, Leonard Lightbourne disclaimed any interest
8 in the surplus proceeds.

9 16. The United States claims an interest in the surplus proceeds by
10 reason of its notice of federal tax lien filed on September 18, 2014, regarding
11 Ronald E. Lightbourne for tax years 2008, 2009.

12 17. The outstanding balance of the Government's claim as of
13 December 10, 2015, is \$29,911.73.

14 18. The parties have stipulated to the following distribution of the
15 interpleaded funds:

16 a. To the United States of America: \$29,911.73

17 b. To Ronald Lightbourne and Lois Lightbourne: the
18 remaining balance of \$389,471.43 less any fees charged by
19 the Clerk of the Superior Court of California for the County
20 of Los Angeles.

21 19. The payments shall be made as follows:

22 a. Regarding the claim of the United States of America, the
23 check shall be made payable to the "United States
24 Department of Justice" and mailed to Andrew T. Pribe,
25 Assistant United States Attorney, United States Attorney's
26 Office, 300 N. Los Angeles Street, Suite 7211, Los Angeles,
27 California 90012.
28

b. Regarding the claim of the Ronald Lightbourne and Lois Lightbourne, the check shall be made payable to “Ronald Lightbourne and Lois Lightbourne” and mailed to 20463 Red Hawk Place, Apple Valley, California 92308.

20. The parties have stipulated that Petitioner should be discharged from this interpleader action and Petitioner’s obligations regarding the interpleader action and the funds subject to this action should be deemed satisfied.

21. The parties have stipulated that no outstanding issues in this litigation remain between the parties and that judgment should be entered in accord with their stipulation.

Based on the foregoing, IT IS ORDERED THAT:

A. The Clerk of the Superior Court of California for the County of Los Angeles is directed to distribute the interpleaded funds as follows:

- a. To the United States of America: \$29,911.73
- b. To Ronald Lightbourne and Lois Lightbourne: the remaining balance of \$389,471.43 less any fees charged by the Clerk of the Superior Court of California for the County of Los Angeles.

B. The payments shall be made as follows:

- a. Regarding the claim of the United States of America, the check shall be made payable to the “United States Department of Justice” and mailed to Andrew T. Pribe, Assistant United States Attorney, United States Attorney’s Office, 300 N. Los Angeles Street, Suite 7211, Los Angeles, California 90012.
- b. Regarding the claim of the Ronald Lightbourne and Lois Lightbourne, the check shall be made payable to “Ronald

1 Lightbourne and Lois Lightbourne” and mailed to 20463
2 Red Hawk Place, Apple Valley, California 92308.

3 C. Petitioner is discharged from this action and Petitioner’s
4 obligations with respect to this interpleader action and the interpleaded
5 funds shall be deemed satisfied.

6 D. This order constitutes the final judgment of the Court.
7

8 IT IS SO ORDERED.
9

10 Dated: December 4, 2015


11 JOHN F. WALTER

12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28